

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

BRETT PANKEY,

Plaintiff,

VS.

DOMINATOR FISHERIES, LLC, in personam; the
F/V ISLE DOMINATOR, Official Number 1246391,
her engines, machinery, appurtenances and cargo, in
rem,

Defendants.

Case No.:

IN ADMIRALTY

**SEAMAN'S COMPLAINT FOR WAGES
IN REM AND IN PERSONAM, FOR
ATTORNEY FEES AND PUNITIVE
DAMAGES – ALL WITHOUT PAYMENT
OF COSTS, 28 U.S.C. § 1916**

COMES NOW the plaintiff and complains of the defendants alleging upon information and belief as follows:

1. Plaintiff, Brett Pankey, brings and maintains this action pursuant to 28 U.S.C. § 1333 and the general maritime law.

2. Plaintiff is a resident of Oregon. The in personam defendant has a principle place of business or is doing business in King County, Western District of Washington.

3. Plaintiff is a seaman and a ward of this Court and elects to take advantage of the provisions of
28 U.S.C. § 1916 to proceed without prepayment of costs or fees.

4. Defendant herein, Dominator Fisheries, LLC, is a corporation existing under and by virtue of the laws of a state or states unknown to plaintiff and at all times herein mentioned was acting by and through

**SEAMAN'S COMPLAINT - 1
CASE NO.**

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1 its officers, agents, servants, employees and representatives, and has a principal place of business or is doing
2 business in the Western District of Washington.

3 5. The F/V Isle Dominator is a 58-foot fishing vessel of 131 gross tons, documented by the
4 United States. Said vessel has her home port in the Western District of Washington or will be found in the
5 Western District of Washington during the pendency of this action. During all times herein mentioned said
6 vessel was owned or bareboat chartered by the defendants, and was engaged in maritime commerce.

7 6. At all times herein mentioned, plaintiff was employed by the defendant(s) as a member of the
8 crew, in the service of said vessel and was at all times acting within the course and scope of his duties as
9 deckhand in furtherance of the mission of said vessel.

10 7. Plaintiff worked aboard defendant vessel until April 29, 2016. He was paid no wages and
11 was not given an accounting of the catch as required by 46 U.S.C. § 10602.

12 8. Plaintiff is entitled to his wages including any bonuses. Said wages have been demanded and
13 denied. Plaintiff is entitled to double wages under state law and punitive damages under federal law.

14
15 WHEREFORE, plaintiff prays judgment against the defendants as follows:

16 1. For a declaration that the plaintiff holds claim to a preferred maritime lien against the
17 defendant vessel, her engines, machinery, appurtenances and cargo;

18 2. For arrest, condemnation and sale of the defendant vessel, including her engines, machinery,
19 appurtenances and cargo;

20 3. For earned wages and double wage penalties;

21 4. For pre-judgment interest on all claims as is in the law provided;

22 5. For costs of suit and reasonable attorney fees;

23 6. For such other and further relief, including punitive damages, as is met and just in the
24 circumstances.

1 DATED this 3rd day of February, 2017.

2 LAW OFFICE OF JOHN MERRIAM

3 By: /s/John W. Merriam
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5 Seattle, WA 98199
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6 Fax: (206) 729-1012
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7 Attorney for Plaintiff

8 I am the attorney for the plaintiff in this action and have knowledge of the matters asserted in the
9 above complaint based upon information provided by the plaintiff.

10 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the allegations of the above
11 complaint are true and correct to the best of my knowledge and belief.

12 Dated at Seattle, Washington this 3rd day of February, 2017.

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14 /s/ John W. Merriam
15 John W. Merriam
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